

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

KRISTIE FARNHAM, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

CARIBOU COFFEE COMPANY, INC.

Defendant.

Case No. 16-CV-00295-wmc

**OBJECTOR SUSAN STRADTMANN'S MOTION FOR LEAVE TO FILE OPPOSITION
TO CLASS COUNSELS' MOTION FOR FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND DEFENDANT CARIBOU COFFEE COMPANY, INC.'S
MEMEORANDUM IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL
APPROVAL; REQUEST THAT THIS COURT NOT RULE ON THE MOTION UNTIL
IT RECEIVES AND CONSIDERS MS. STRADTMANN'S OPPOSITION**

Ms. Stradtmann filed her objection to the proposed class action settlement and attorneys' fees on October 13, 2017. Doc. 66. For more than a month, class counsel have attacked Ms. Stradtmann and her counsel on everything but the merits.

Then on November 20, 2017, on the same week of the Thanksgiving holidays and three working days ahead of the fairness hearing, class counsel filed their Motion for Final Approval of the Settlement, for the first time setting out their substantive response to her objection. Doc. 88. Defendant Caribou Coffee Company, Inc. filed its supporting memorandum on November 21, 2017, two working days before the fairness hearing. There is no reason why the parties could not have submitted this briefing much earlier to allow a reasonable time for response.

It is critical that Ms. Stradtmann be allowed a response to correct an assortment of inaccuracies concerning her objection, as well as class counsels' misleading portrayal of authority in the Seventh Circuit. By way of example, class counsel claim that the deposition of Ms. Stradtmann reveals a lack of familiarity with her objection. That could not be further from the truth, as set forth in her sur-reply. Class counsel also falsely represent that there is a 30% benchmark for attorneys' fees in the Seventh Circuit, when there manifestly is not. Doc. 88, at 30-31. Ms. Stradtmann should be given a reasonable opportunity to address these and other inaccuracies. Accordingly, Ms. Stradtmann requests leave to file an opposition no later than December 6, 2017. She further requests that this Court not rule on the motion until it has received and considered these papers.

CONCLUSION

Objecting class member Susan Stradtmann respectfully requests that this Court grant her leave to file a response to class counsels' motion for final approval and Caribou's supporting

memorandum by December 6, 2017. Ms. Stradtmann further requests that this Court abstain from ruling on the motion until it has received and considered these papers.

Dated at Milwaukee, Wisconsin this 22nd day of November, 2017.

MILLER & OGORCHOCK, S.C.

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Certificate of Service

I hereby certify that today, November 22, 2017, I filed the foregoing document on ECF which will send electronic notification to all attorneys registered for ECF-filing.

s/ Thomas Ogorchock